

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ELI THACH,
Plaintiff,

v.

STATE FARM FIRE & CASUALTY
COMPANY,
Defendant.

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CIVIL ACTION
NO. 19-5050

ORDER

AND NOW, this 9th day of July, 2020, upon consideration of Defendant's Motion to Dismiss (ECF No. 4), and Plaintiff's Response in Opposition to Defendant's Motion (ECF No. 6), as well as Plaintiff's Motion to Remand (ECF No. 5), and Defendant's Response in Opposition to Plaintiff's Motion (ECF No. 7), and for the reasons stated in the accompanying Memorandum, it is hereby ORDERED as follows:

1. Defendant's Motion to Dismiss (ECF No. 4) is GRANTED, and the claim set forth in Count II of Plaintiff's Complaint is DISMISSED without prejudice. Plaintiff is granted leave to amend the claim set forth in that count within thirty (30) days of the date of this Order.
2. Plaintiff's Motion to Remand (ECF No. 5) is DENIED.

BY THE COURT:

/s/ C. Darnell Jones, II
C. Darnell Jones, II J.